

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA

CLERK'S OFFICE U.S. DISTRICT COURT
AT ABINGDON, VA
FILED

JUL 09 2024

BY: *L. Austin* CLERK
DEPUTY CLERK

United States of America

v.

MELISSA BANDY,

Defendant

Case No. 1:24mj00039

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant must not commit any offense in violation of federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 34 USC 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before any change in address or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve any sentence imposed. The defendant must next appear at U.S. District Court, 180 West Main Street, Abingdon, VA on October 1, 2024, at 11:00 a.m.
- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions listed below:

- (6) The defendant must:
 - (a) The defendant shall avoid contact outside the presence of her counsel with any alleged victims or potential witnesses regarding her case.
 - (b) The defendant shall report as directed by the probation officer, shall follow the direction of the probation officer; shall promptly report any personal status changes to the probation officer: this shall include immediately reporting any contact by law enforcement officers regarding a criminal investigation or any additional criminal charges placed against the defendant. The defendant shall continue to reside at her current residence and shall not change residences without the permission of the probation officer.
 - (c) The defendant shall abstain from the excessive use of alcohol or any use or possession of any controlled substances unless prescribed by a licensed treating physician for a legitimate medical purpose.
 - (d) The defendant shall not travel outside the Western District of Virginia without first obtaining permission from the probation officer.
 - (e) The defendant shall submit to warrantless search and seizure of his/her person and property as directed by the probation officer for the purpose of determine if he/she is in compliance with her conditions of pretrial release.
 - (f) The defendant shall actively seek and/or maintain employment.
 - (g) If the defendant possesses a passport, she shall surrender her passport to the U.S. Probation Office to be held pending further order of the court; if the defendant does not currently possess a passport, the defendant shall not apply to obtain a passport.
 - (h) The defendant shall restrain any animals on the premises of her residence in a way to not interfere with the probation officer's access to the defendant's residence and to ensure the officer's safety. All animals on the premises must be currently vaccinated for rabies and must provide proof of vaccinations as requested by the U.S. Probation Officer. All unvaccinated animals must be removed from the home within 14 days from today.

- (i) The defendant shall continue in his current mental health/substance abuse counseling/treatment program at his/her own expense.
- (j) All firearms in the residence are to be placed in a safe or are to be removed from the premises.

ADVISE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt and could result in a possible term of imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250.00 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant, retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you will be fined not more than \$250.00 or imprisoned for not more than 10 years, or both.
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you will be fined not more than \$250.00 or imprisoned for not more than five years, or both.
- (3) any other felony, you will be fined not more than \$250,000 or imprisoned not more than one year, or both.
- (4) a misdemeanor, you will be fined not more than \$100,000 or imprisoned not more than one year or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

ACKNOWLEDGMENT OF DEFENDANT

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

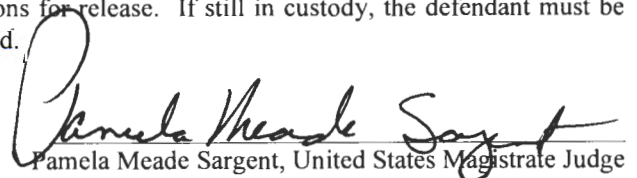

Defendant's Signature

DIRECTIONS TO UNITED STATES MARSHAL

(X) The defendant is ORDERED released after processing.

() The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: July 9, 2024


Pamela Meade Sargent, United States Magistrate Judge